

**MEETING MINUTES SUMMARY
GOVERNOR'S MILITARY FACILITIES TASKFORCE
TUESDAY, AUGUST 19, 2003, 9:30 A.M. TO 1 P.M.
UNIVERSITY OF ARIZONA FOUNDATION
SWEDE JOHNSON BUILDING - ROOM 205**

INTRODUCTIONS & ROLL CALL

Co-Chair Bob Johnston (Lieutenant General, USMC, Ret.) of Tucson opened the meeting and welcomed the taskforce members and guests to the third meeting. Taskforce members were given an opportunity to introduce themselves individually. The remaining taskforce members included Co-Chair Tom Browning (Brigadier General, USAF, Ret.) of Phoenix and Military Advisor to the Governor, Tom Finnegan of Sierra Vista representing Fort Huachuca, Monsignor Richard O'Keeffe of Yuma representing the Army Yuma Proving Grounds, Lisa Atkins of the West Valley representing Luke Air Force Base (AFB), Lori Faeth, the Governor's Natural Resource Policy Advisor, Kendall Bert of Tucson representing Davis-Monthan AFB (sitting in for Gene Santarelli in his absence) and Steve Thu of Tucson representing the National Guard and Reserve units. The taskforce advisor and the military liaison to the taskforce were Patricia Boland from the Attorney General's office and Colonel James Uken representing Luke Air Force Base and the Barry M. Goldwater Range, respectively. Also recognized was a staff member for the taskforce, Heather Garbarino from the Department of Commerce. Gil Jimenez of the Arizona Department of Commerce was absent.

(This is in respect to the role of Colonel Uken as a military liaison to the taskforce. Due to recent guidance from the Secretary of the Air Force, Col James Uken can no longer serve in any official capacity with the Governor's Military Facilities Taskforce. This change is to take effect immediately. All references to Col Uken's role as the military liaison to our taskforce need to be removed immediately.)

Throughout the meeting several elected officials were recognized: Supervisor Pat Call, Cochise County; Senator Victor Sotelo, State Legislature; Mayor Tom Hessler, City of Sierra Vista; Supervisor Lenore Stuart, Chairman of the Board of Supervisors from Yuma; and Vice-Mayor Bobby Biggs, City of Yuma.

UPDATE FROM EACH OF THE COMMUNITY TASKFORCE MEMBERS

Four community taskforce members provided updates: Lisa Atkins, Kendall Bert, Colonel Althouse (for Monsignor O'Keeffe) and Tom Finnegan.

Lisa Atkins provided some insight into the major issues facing Luke AFB and its ability to conduct its mission (i.e. encroachment). She started her presentation by introducing the members of Luke's Community Initiative, led by Rusty Mitchell (Retired Air Force) and consisting of Bob Dupsky, a planner (Retired Air Force), Eric Brinkley, a paralegal and Mike Hanson (Retired Air Force Colonel). Ms. Atkins indicated that several concerns in dealing with preserving the mission of Luke AFB involve incompatible land use

development in “overflight” paths, around Aux 1, around Gila Bend Auxiliary field and in military training routes. These are all important especially in light of the noise/ safety concerns and the need for live ordnance access to Barry M. Goldwater Range. When looking at urban development issues, she presented the concept of a graduated density as a possible compatibility land use approach where light industry, golf courses, graduated home density (from zero to two, two to four, etc.) or even agricultural development can acts as a buffer to the base. The impact of the current urban development has already led to the cessation of departures with live ordnance to the North of Luke AFB. Ms. Atkins recognized the efforts of a coalition of west valley communities (i.e. Luke West Valley Coalition, Fighter Country Partnership and the Fighter Country Coalition) who are pooling their financial resources to work with a Washington lobbyist to lead an appropriation request to fund land acquisition efforts around Luke AFB. Senator McCain, originally, introduced this legislation. She also continued her comments with the recognition of the City of Surprise and Gila Bend for their recent actions to address the concerns to preserve the mission at Luke AFB and other affected areas in their general plans. Ms. Atkins concluded her comments by recommending the enforcement of existing state statutes, by expressing the importance of maintaining open discussions and continued conversations at all levels (land owners, Luke AFB and political subdivisions) and by requesting the responsiveness of all civic general plans to concerns impacting Luke’s mission. (See special note below to request a copy of presentation slides)

Kendall Bert, representing Gene Santarelli in his absence, gave a short update on issues impacting Davis Monthan AFB (DM). He explained how in the past rounds of BRAC (Base Re-alignment and Closure) in 1991, 1993 and 1995 that the biggest encroachment issue facing DM was the existence of the Julia Keene Elementary School. This school is located on the edge of Accident Potential Zone 2 off the runway of DM. During the week of August 11, Tucson Unified School District (TUSD) voted to close Julia Keene Elementary School at the end of the school year and move the kids into other facilities. Even though this was a tough decision, Mr. Bert explained that he felt that the safety of the kids was truly dealt with. Mr. Bert concluded his comments by also recognizing the collaborative efforts of the TUSD board, Bill Carroll, president of the DM 50 and the leadership pf DM, Colonel Stutzreim and Colonel Spencer.

Colonel James Althouse made a presentation about the unique capabilities of the Army Yuma Proving Ground (YPG) in terms of joint training and testing. YPG is the Army’s natural desert environment test center and has been designated as a major test range facility by the Department of Defense. The mission of YPG deals with testing and evaluation of various systems for the Army as well other services’ systems for joint training and test programs. This joint testing is possible because of the highly instrumented ranges for programs like the lightweight towed howitzer, XM777. Due to the recent installation of 600 miles of digital fiber optics, more and more joint training operations are possible because the fiber optics link YPG, 29 Palms, Miramar and the Marine Corp Air Station at Yuma. Other joint training operations include the Marine Corps training for the weapons tactics instructor course, Navy Seals training and Army Special Operations free fall school. Some of this training actually led to more effective

combat operations for Marines in Iraq. Colonel Althouse concluded his comments by expressing his concerns with how politics could negatively impact the position of YPG in terms of a closure decision as compared to Aberdeen Proving Ground and requested the taskforce's assistance with this. (See special note below to request a copy of presentation slides)

Tom Finnegan provided some insight into the key issues involving Fort Huachuca (the Fort) and the City of Sierra Vista. Mr. Finnegan explained that the leading concern facing this community is water. There is over a million acre-feet of water in the aquifer in Sierra Vista. Mr. Finnegan indicated that the challenge is to get the water not only for use and for the expansions needs of Fort Huachuca, but also for water to flow down to the San Pedro river. The current obstacle is overcoming the effects caused by the pumping of groundwater – a cone of depression where the flow gets cutoff from going to the river. He explained how the City and the Fort plan to be able to replace all the water that they currently use from the San Pedro River with 5,000 acre/ft by 2011 and deal with any expansion of missions on the Fort (a possible increase of 6,000 to 10,000 personnel). Some of the possible water sources are the flooded Tombstone and Phelps Dodge mines. Mr. Finnegan continued by recognizing the Upper San Pedro Partnership consisting of a number of community environmental organizations, the State, the City, the County for the studies that are on-going to address these issues. He also addressed the biological opinion that exists where Fort Huachuca is responsible for the water use off the installation, but the installation has no jurisdiction to do anything about it. The installation is working with community representatives for clarification of the language in this opinion, not to change the language. Mr. Finnegan concluded with a request for the development of legislation to assist their efforts to bring water to the area to deal with growth. (See special note below to request a copy of presentation slides)

ENVIRONMENTAL PROTECTION AND ARIZONA'S MILITARY INSTALLATIONS

Lori Faeth provided an overview of environmental policies related to Arizona's military installations. Ms. Faeth started her presentation by recognizing the commitment of the Department of Defense to protect natural resources in association with military facilities. In the last BRAC round, the environmental considerations of importance were water supply and air quality. Even though, it may be too early to know what the environmental concerns for this round of BRAC, a good working hypothesis that environmental issues that affect new missions or that would degrade the ability of an installation to provide military value should be considered.

Currently, the compliance records of Arizona's installations are very good to excellent. The only pollutants of concern are nitrous oxides in the creation of ozone in relation to the possible introduction of the joint strike fighter at Luke AFB. Maricopa County has not exceeded a one-hour ozone in Arizona since 1996. In terms of remediation, Arizona installations are making very good progress with all cleanup efforts. In particular, the EPA removed Luke AFB from the superfund list in 2002 based on the successful completion of a remediation plan developed in the early 1990's.

One of the most important environmental issues in Arizona is dealing with endangered species. Arizona's installations have taken this seriously. They have consulted with Fish & Wildlife services and have biological opinions to cover their operations. Ms. Faeth requested that the taskforce moves forward by forming recommendations that takes a holistic approach so that the proper community vetting processes are allowed to work to prevent unintended effects. In closing, she presented the following environmental recommendations:

- 1) Support Arizona Department of Environmental Quality efforts at establishing Best Management Practices for the Yuma area (PM10)
- 2) Monitor designation concerning Tucson and PM10
- 3) Monitor 8 hour ozone development (NO2 Waiver)
- 4) Monitor ESA litigation
- 5) Community Support of water supply issues near Fort Huachuca
- 6) Support efforts to review ESA and the BMGR.

(See special note below to request a copy of presentation slides)

REVIEW OF PREVIOUS ACTION ITEMS

Colonel James Uken addressed the action item to explain the request for information about the Barry M. Goldwater range for the section-366 study. He explained that the study request was a data call for all Air Force training ranges consisting of 36 questions accessing the existing uses, capabilities and capacity of the ranges and investigating other areas of interest (i.e. endanger species). The timeline for the public release of this information is still unknown.

Patti Boland answered action items about the applicability of protections for all of Arizona's military installations afforded to military airports, access to the Silverbell for the purchase of land by the State Trust and the transfer of development rights. Ms. Boland indicated that the only military installations/operations protected under the current statutes are fixed wing operations that are operated by the military primarily for military operations. This excludes auxiliary fields (Aux 1 and Gila Bend), helicopter operations at Silverbell and UAV operations, but the Libby auxiliary field. As this discussion leads to the expansion of current protections to accommodate to other operations, parameters for the new protections will have to be developed.

Under the action item concerning access to the Silverbell, Ms. Boland noted the communities that are affected by Silverbell's operations (i.e. town of Marana and Pinal County). The issue behind this concern is that the only access to Silverbell is through Evergreen's property, private land. So, she offered to investigate a possible solution to help find a way to provide for State Land to get legal access to Silverbell.

Under the action item concerning the transfer of development rights, Ms. Boland revealed that there is a statute that allows municipalities to transfer development rights where a property owner grants or gives up development rights and municipalities have to adopt an ordinance to do so. No cities in Arizona have passed ordinance to allow the transfer of

development rights. Instead, they are negotiating density transfer with to developer to shift densities off particular land. Thereby, the developer can realize the total value for the land, but the density shift also happens. This is probably what is taking place around Luke AFB to deal with encroachment issues.

Lisa Atkins addressed the action item concerning lot splits (also known as wildcat subdivisions). The underlying struggle behind this is that municipalities have subdivision authority and counties do not. This situation impedes the ability of counties to address urban growth issues because they do not possess the regulatory authority. Ms. Atkins recognized the efforts of Elaine Richardson, Director of the Department of Real Estate, with convening a working group to take a look at existing state statutes where counties may be given some authority to be able to go in and address urban growth issues. Ms. Atkins concluded these comments by suggesting that the taskforce only participate in this process by providing information only because this does impact Arizona's military installations. But, this is as far as the taskforce needs to go. Due to the diverse interests involved, further involvement would go beyond the scope of this taskforce.

PRELIMINARY DRAFT RECOMMENDATIONS DISCUSSION

Co-Chair Tom Browning made a presentation on the preliminary draft recommendations. They are listed as follows:

- 1) Adopt AICUZ zoning, which will accommodate growth potential around military installations
- 2) Adopt 50,000-ft departure corridor for the primary runways at military airports
- 3) Define acreages affected by departure corridors, APZs and high noise areas in sufficient detail for land use determination
- 4) Establish mechanisms to exchange, buy, lease, or enforce compatible land use around military airports
- 5) Clarify what kind of development is allowed within the high noise and accident potential zones.
- 6) Encourage graduated development concept for the land areas approaching the high noise and accident potential zones.
- 7) Provide the same protection to ranges, Auxiliary fields and mixed use facilities which currently apply to primary facilities
- 8) Strengthen notification in vicinity box and establish enforcement mechanisms
- 9) Establish pre-action approval procedures for land use within the areas affected by military facilities
- 10) Consider expanding the definition of military airports to include helicopter and UAV operations
- 11) Standardize the size of the vicinity boxes surrounding each military installation
- 12) Consider offering the same protection at military airports for secondary runways that already exist for primary runways

After the presentation of these recommendations, Mr. Browning requested feedback from the taskforce members for discussion at the next meeting.

CALL TO THE PUBLIC:

Co-Chair Bob Johnston made a call to the public. There were no speakers during the public comment period.

Since there was no further business, the meeting was adjourned.

NEW ACTION ITEMS

- 1) Draft specific recommendations for legislative action for the community surrounding Fort Huachuca to deal with their water issues and identify funding needs, a funding source identify and the responsible parties with the authority to take on the action recommended (OPR: Tom Finnegan; Suspense: September 9, 2003)
- 2) Draft a specific recommendation for state level action concerning Senator McCain's section 330 added to the house resolution 1588 suggesting the establishment of a taskforce to provide recommendations on resolving any outstanding conflicts between military training areas and endangered species protection (OPR: Lori Faeth; Suspense: September 9, 2003)
- 3) Forward information on any pending environmental issues that would be best for the taskforce to stay out of (OPR: Lori Faeth; Suspense: September 9, 2003)
- 4) Identify appropriate monitors for the environmental recommendations - the responsible parties with the authority to take on the action recommended (OPR: Lori Faeth; Suspense: September 9, 2003)
- 5) Forward information about when the deliverable for the Air Force section of the section 366 study and the timing for the release (OPR: Colonel James Uken; Suspense: September 9, 2003)
- 5) Investigate a means to provide legal access for the State Land Trust to Silverbell so that they are able to purchase the land (OPR: Patti Boland; Suspense: September 9, 2003)
- 6) Draft a specific recommendation for state level action to identify lot splits (wildcat subdivisions) as an issue of concern for the taskforce only where any further involvement by the taskforce is ill-advised (OPR: Lisa Atkins; Suspense: September 9, 2003)
- 7) Forward a lead point of contact for the landowners in each community affected by military installations (OPRs: Tom Finnegan, Monsignor O'Keeffe and Steve Thu; Suspense: September 9, 2003)
- 8) Forward information concerning the statutory concerns for UAVs that are similar to real airplanes that the taskforce needs to be aware of (OPR: Tom Finnegan; Suspense: September 9, 2003)

9) Forward information about the National Guard around the State including operations at Marana, Tucson International and Phoenix Sky Harbor (OPR: Steve Thu; Suspense: September 9, 2003)

OPEN ACTION ITEMS:

6) Provide an update to the taskforce on the Management Review and comments about the recognition of the economic activity associated with Arizona military installations. (OPR: Gil Jimenez, Suspense date: August 14, 2003)

8) As part of next month's community updates, provide information to the taskforce that addresses whether the "vicinity box" and noise contours as currently defined around each installation are adequate and appropriate to meet the current and future needs of that installation. (OPR: Steve Thu, Original Suspense Date: August 14, 2003)

NEXT MEETING:

The next Governor's Military Facilities Taskforce meeting is scheduled for Tuesday, September 9th, from 9:30am to 1pm at the Central Arizona College (Room M101), 8470 N. Overfield Road, Coolidge, AZ 85228.

Special Note: Electronic copies of the presentations or any other materials noted above are available on request. Please contact Dion Flynn at (602) 542-7007 or send an email to dflynn@az.gov.

For additional information about the Governor's Military Facilities Taskforce, checkout our web page at <http://www.governor.state.az.us/mft/index.html>